

H.R. 1659

INTRODUCED BY: Rep. Eldon Rudd (R., AZ) on 4 February 1981 and referred to the HPSCI, the Post Office and Civil Service as well as the Veterans' Affairs Committees.

PURPOSE: To enhance U.S. intelligence collecting capabilities by prohibiting the unauthorized disclosure of information concerning individuals engaged or assisting in foreign intelligence or counterintelligence activities.

TITLE: "Intelligence Agents Protection Act"

APPROACH:

(i) Lumps all three potential defendants (present or former officers or employees; those having or having had lawful access to identifying information; and, everyone else) into one provision and creates a strict liability offense for the knowing and willful unauthorized disclosure of identifying information;

(ii) Penalty is a fine of \$100,000 or imprisonment for not more than twenty years, or both;

(iii) Also contains a strict liability "false identification" provision punishable by a fine of \$50,000 or imprisonment of not more than ten years, or both;

(iv) Would provide injunctive relief upon an in camera showing that the foreseen act would be criminal under the statute (Note: absence of damage standard and irreparable harm as found in H.R. 133);

(v) Specifically excludes from prosecution disclosure of information -- "upon lawful demand"-- to the Congress;

(vi) Contains provisions directing forfeiture of annuities, retirement pay and veterans' benefits upon conviction of an offense under the statute. Suspension of these benefits commences upon indictment. Such benefits shall be reinstated only upon Presidential pardon.